

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

DOCKET NO. 2012-264-W - ORDER NO. 2012-785

OCTOBER 24, 2012

|        |   |   |                    |
|--------|---|---|--------------------|
| IN RE: | Application of JACABB Utilities, LLC      | ) | ORDER APPROVING    |
|        | Requesting Approval of Water System Asset | ) | WATER SYSTEM ASSET |
|        | Purchase Agreement with TRRCC Utilities,  | ) | PURCHASE           |
|        | LLC to Service Aldersgate Subdivision in  | ) | AGREEMENT AND      |
|        | Pickens County                            | ) | TRANSFER OF SYSTEM |

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Application of JACABB Utilities, LLC (“JACABB” or “Applicant”) for approval of its agreement with TRRCC Utilities, LLC (“TRRCC”) to provide water service to the Aldersgate Subdivision in Pickens County. The agreement between JACABB and TRRCC regarding the sale of water system assets was entered into on March 1, 2012.

A Notice of Filing was published in *The Pickens Sentinel*, a newspaper of general circulation in the Pickens County service area. No protests or Petitions to Intervene were filed. The Office of Regulatory Staff (ORS) does not object to the proposed transfer.

JACABB has presented us with the Water System Asset Purchase Agreement signed by representatives of the parties and requests that we proceed without a hearing in this matter. We would note that JACABB is an established provider of water and wastewater services in South Carolina. We will proceed to review the matter without a hearing, since there is no opposition to the relief sought.


26 S.C. Code Ann. Regs. 103-704 states that the transfer of a water utility requires the issuance of a certificate from this Commission that the transfer of the utility is in the public interest. Further, the regulation states that such a certificate shall be granted only after certain information is provided to this Commission and provided to ORS, and after notice has been given to the Department of Health and Environmental Control (DHEC) and other interested water utilities, and to the public, and after due hearing. We find that the parties have complied with the terms of the regulation. First, the appropriate information has been provided to both this Commission and to ORS, and proper notice has been given to DHEC and to the public. We do not believe that there are any interested water utilities that should have been provided with the requisite notice. We hold that the “due hearing” in this matter was the Commission public agenda session in which this matter was presented to the Commission for disposition. The members of this Commission had an opportunity to make any inquiries deemed appropriate at that time.

Further, we have no difficulty in issuing a certificate that the transfer of the subject water system is in the public interest. JACABB Utilities, LLC is an established water utility, and is located in the Pickens County service area. We believe that JACABB is capable of serving the proposed development. JACABB has requested that the Proposed Schedule of Rates and Charges attached to its Application be approved.

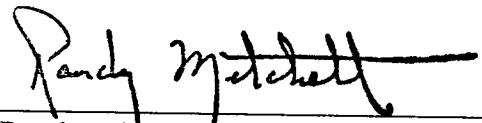
Accordingly, we hereby grant the requisite certificate that the transfer is in the public interest, and we approve the agreement between the parties and the transfer of the subject utility to JACABB Utilities, LLC. Further, we approve the Proposed Schedule of Rates and Charges which is attached to the Application.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
David A. Wright, Chairman

ATTEST:

  
Randy Mitchell, Vice Chairman  
(SEAL)